

REMARKS

This is in full and timely response to the non-final action of December 3, 2007. A petition to extend the time for this response for an additional month accompanies this paper. Thus, this paper is timely when submitted on or before April 3, 2008. Reexamination and reconsideration are respectfully requested.

Priority Acknowledgement

It is appreciated that the claim for priority and the submission of supporting papers in the National Stage application from the International Bureau were acknowledged.

No Objections to Specification, Drawings, or Formalities

The absence of any objections to the specification, drawings, or claims, or formal rejections of the same is also acknowledged with appreciation.

Claims

Claims 37 to 41

These apparatus claims were rejected as anticipated by the publication to Chandra noted in the rejection at section 4, pages 4 and 5. Without indicating agreement with or acquiescence in this rejection, these claims are canceled without prejudice so that each can be presented in a voluntary continuation if so decided.

Claims 1 to 36

These claims were rejected on various grounds as stated in sections 2 and 3 as anticipated over Vaarstra, No. 6,242,165 or Mullee, No. 6,306,564 as discussed on pages 2 to 4. These rejections are respectfully traversed in view of the amendments to the independent method claims 1, 8, 15, and 22 (and the addition of parallel claims with a more preferred range, i.e. claims 42 to 45).

Similarly, independent semiconductor device claims 29 to 36 are also amended similarly, with additional dependent parallel claims 46 to 53 with the more referred range.

These amendments find support, for example, on page 21 of the specification as filed, at lines 11 to 27, and more particularly at lines 18 to 22. At lines 23 to 27 of that same page, the operability of the invention in the newly-stated range is discussed in terms of an incomplete removal of the polymerized etching residue at a lower than stated concentration, while exceeding the range “will result” in an incomplete suppression of the corrosion of any metal materials.

Neither Vaarstra ‘165 nor Mullee ‘564 appears to teach or suggest these range limitations, nor make them obvious; indeed, both appear to approach the ratio in terms of volume rather than mol concentration for the supercritical substance of 40 degrees C and 8 MPa. More significantly, perhaps, neither teaches any results above or below the stated range as described at page 21 as noted above. It seems that the passage spanning columns 5 and 6 of Vaaarstra describes ranges but not necessarily for supercritical fluid as stated, and not within the stated ranges of the amendments when considering the amended claims as a whole. Mullee ‘564 is similarly silent on this question of the range, rather concentrating its disclosure on making a supercritical fluid. In fact, Mullee does not seem concerned with that ration at all but rather observes the ration of the chemical volume to the vessel volume, as described at column 4, lines 37 to 50.

Withdrawal of the stated rejection in view of the proffered amendment is thus in order.

Section 103 rejections over Mullee ‘564

The rejections stated in section 7 on pages 6 and 7 are similarly overcome for about the same reasons that both Vaarstra and Mullee ‘564 were shown above to lack a teaching, hint or suggestion of the ranges stated in the amendment or the efficacy of those ranges. In the absence of any teaching of those limitations, these rejections to not meet the prima facie standard.

Comments on the EP and International Search Reports Previously Presented and Considered.

Copies of U.S. patents to Douglas, Nos. 3,858,856 and 5,868,862 are here provided as apparent English language equivalents to the JP documents (JP 10-99806 and JP 10 135710). While duplicative of documents previously considered, each is provided for the convenience of the examiner for their English language equivalent text. If an additional fee is required, please charge the Deposit Account of the undersigned but please make consideration of the two Douglas documents of record.

Like treatment of the EP Search Report documents previously presented and made of record is not needed in that each is in the English language.

Conclusion

In view of the above amendments, claims 1 to 36 and 42 to 53 are in condition for allowance, while claims 37 to 41 are canceled; thus, applicant believes the pending application is in condition for allowance.

Applicant believes no fees other than an extension fee and perhaps an IDS fee are due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2563 from which the undersigned is authorized to draw.

Dated: April 3, 2008

Respectfully submitted,

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